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14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 CAPITOL SPECIALTY INSURANCE  
17 CORPORATION, a Wisconsin corporation, as  
18 assignee of UNITED CONSTRUCTION  
19 COMPANY,

20 Plaintiff,

21 v.

22 STEADFAST INSURANCE COMPANY, a  
23 Delaware corporation; RHP MECHANICAL  
24 SYSTEMS, a Nevada corporation; and AXIS  
25 SURPLUS INSURANCE COMPANY, an  
Illinois corporation,

Defendants.

AND RELATED CROSSCLAIM

STEADFAST INSURANCE COMPANY,

Plaintiff,

v.

RAY HEATING PRODUCTS, INC., et al.

Defendants.

Case No.: 2:20-cv-1382-JCM-VCF

Consolidated With:

Case No.: 3:22-cv-335-MMD-CLB

**STIPULATION AND  
ORDER TO EXTEND RESPONSES TO  
MOTIONS FOR SUMMARY JUDGMENT  
(ECF Nos. 164, 165, and 166)**

**(First Request)**

TO THE HONORABLE COURT, AND TO ALL PARTIES AND THEIR ATTORNEYS  
OF RECORD:

1 Plaintiff/Counter-Defendant Capitol Specialty Insurance Corporation, as assignee of  
 2 United Construction Company (“CapSpecialty”), Defendant Steadfast Insurance Company  
 3 (“Steadfast”), and Defendant RHP Mechanical Systems (“RHP”), hereby stipulate to extend the  
 4 deadlines for interested parties to file opposition and reply briefs to the Motions for Summary  
 5 Judgment filed with this Court on April 7, 2023 (ECF Nos. 164, 165, and 166) (collectively  
 6 “Motions”).

7 Per the agreement of the parties, and subject to this Court's approval, the deadline to  
 8 oppose the Motions shall be extended from April 28, 2023, to May 19, 2023. Meanwhile, per the  
 9 agreement of the parties and subject to this Court's approval, the deadline to file reply briefs in  
 10 connection with the Motions shall be extended to June 2, 2023.

11 The parties are actively moving this case forward. The request to extend dates is due to  
 12 the complexity of the issues raised in the brief as well as the fact that counsel for CapSpecialty has  
 13 responses to dispositive motions due in another, unrelated case on April 28, 2023. Accordingly,  
 14 the parties stipulate and agree that the requested extension is being made without prejudice to  
 15 other orders previously made or to be made by the Court.

16 In accordance with LR IA 6-1, there have been no prior extensions solely to extend the  
 17 responses to Motions for Summary Judgment; there have been seven prior stipulations for the  
 18 extension of time regarding discovery deadlines (ECF No. 150).

19 IT IS SO STIPULATED.

20 Dated: April 11, 2023

Dated: April 11, 2023

21 PAYNE & FEARS LLP

MORALES FIERRO & REEVES

22 By: /s/ Sarah J. Odia

By: /s/ William Reeves

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26 Attorneys for Plaintiff/Counter Defendant  
 27 Capitol Specialty Insurance Corporation

Attorneys for Defendant  
 Steadfast Insurance Company

1 Dated: April 11, 2022

2 TYSON & MENDES

3 By: /s/ Thomas E. McGrath

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7 Attorneys for Defendant RHP Mechanical  
Systems

8  
9 **ORDER**

10 IT IS SO ORDERED. All parties have until May 19, 2023, to file responses to Motions for  
11 Summary Judgment (ECF Nos. 164, 165, and 166), and to June 2, 2023 to file replies in support of  
12 the Motions for Summary Judgment.

13  
14 DATED: April 14, 2023

15  
16   
17 JAMES C. MAHAN  
18 UNITED STATES DISTRICT JUDGE

PAYNE & FEARS LLP  
ATTORNEYS AT LAW  
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1                   **CERTIFICATE OF SERVICE**

2                   I hereby certify that on this 12<sup>th</sup> day of April, 2023, a true and correct copy  
3 of **STIPULATION AND [PROPOSED] ORDER TO EXTEND RESPONSES TO MOTIONS**  
4 **FOR SUMMARY JUDGMENT (ECF Nos. 164, 165, and 166)** was served via the United States  
5 District Court CM/ECF system on all parties or persons requiring notice.

6

7                   By /s/ Jennifer Stephens

8                   Jennifer Stephens, an Employee of  
9                   PAYNE & FEARS LLP

10                  4866-0403-0301.1